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Paper No. 6

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APR 16 2002

In re Application of
Pecus, et al.
Application No. 09/960,636
Filed: September 21, 2001
Attorney Docket No. 5201

OFFICE OF PETITIONS

DECISION ACCORDING STATUS
UNDER 37 CFR 1.47(a)

This is in response to the Petition Under 37 CFR 1.47(a), filed January 15, 2002 (Certificate of Mailing dated December 28, 2001).

The petition under 37 CFR 1.47(a) is GRANTED.

The above-identified application was filed on September 21, 2001, without an executed oath or declaration. Accordingly, on October 30, 2001, the Initial Patent Examination Division mailed a Notice to File Missing Parts of Nonprovisional Application. This Notice set a two month period for reply.

In reply, applicant filed the instant petition (and fee) and paid the surcharge for late filing of the declaration. Applicant included a declaration signed by inventor Vivian Pecus, but lacking a signature from inventor Laura Ruffin.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims, drawings, oath or declaration); (2) an acceptable oath or declaration in compliance with 37 CFR 1.63; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventors.

On petition, attorney Frederick Yu included a statement of facts in which he detailed his transmittal of the application papers to non-signing inventor Ruffin, as well as his follow up attempts to contact Ruffin. In addition, attorney Yu included copies of the cover letter which enclosed the application papers, certified mail receipts bearing the signature of Ruffin, as well as the follow up correspondence sent to Ruffin.

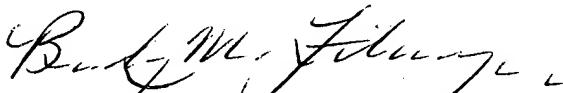
The declaration filed January 15, 2002 and the petition have been reviewed and found to be in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the

address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application file is being returned to the Office of Initial Patent Examination for continuation of pre-examination processing.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Cliff Congo at (703) 305-0272.



Beverly M. Fianagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



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LAURA RUFFIN
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APR 16 2002

OFFICE OF PETITIONS

LETTER

In re Application of
Forouhi, et al.
Application No. 09/960,636
Filed: September 21, 2001
Title: FORWARD CACHÉ MANAGEMENT
BETWEEN EDGE NODES IN A SATELLITE
BASED CONTENT DELIVERY SYSTEM

Dear Ms. Ruffin:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 USC 116 and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, agent of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Cliff Congo at (703) 305-0272. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Beverly M. Flanagan
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Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
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